

Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

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O.A. No. 138/91

Date of Decision : 13-2-91

T.A.No.


_____	Petitioner.
_____	Advocate for the petitioner (s)
Versus	
_____	Respondent.
_____	Advocate for the Respondent (s)


CORAM :

THE HON'BLE MR. B.N. JAYASIMHA : VICE-CHAIRMAN

THE HON'BLE MR. D. SURYA RAO : MEMBER (JUDICIAL)

1. Whether Reporters of local papers may be allowed to see the Judgement ? No
2. To be referred to the Reporter or not ? No
3. Whether their Lordships wish to see the fair copy of the Judgment ? No
4. Whether it needs to be circulated to other Benches of the Tribunal ? No
5. Remarks of Vice Chairman on columns 1, 2, 4
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)


(BNJ)
VC


(DSR)
M(J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA 138/91.

Date of Judgment: 13-2-1991.

M.A.Wajid

...Applicant

Vs.

1. The Superintendent of Police,
Central Bureau of Investigation,
Kachiguda, Hyderabad.
2. The District Employment Officer
(Technical), Musheerabad, Hyderabad.

...Respondents

- - - -

Counsel for the Applicant : Mrs.Shahnaaz Sultan

Counsel for the Respondents : Shri Naram Bhaskar Rao, Addl.CGSC
Shri D.Panduranga Reddy, Spl.
counsel for AP State.

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CORAM:

THE HON'BLE SHRI B.N.JAYASIMHA : VICE-CHAIRMAN

THE HON'BLE SHRI D.SURYA RAO : MEMBER (JUDL)

(Judgment of the Division Bench delivered by
Hon'ble Shri D.Surya Rao, Member (J)).

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The applicant herein states that he is qualified for appointment to the post of light motor vehicle driver in 1st Respondents organisation. The 2nd respondent i.e. the District Employment Exchange has not sponsored his name. The applicant states that his registration No. is T/2482/90. Applicant also states that he ^{has} ~~also~~ passed the SSC examination in the year 1989 and holds license for light motor vehicle. Since he is fully qualified, he is entitled for consideration. An allegation is made that the persons sponsored by the 2nd Respondent do not possess the necessary qualification.

2. We have heard the arguments of Smt. Shahnaz Sulthana,

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learned counsel for the applicant, Shri Naram Bhaskar Rao, learned standing counsel for the Central Government and Shri D.Panduranga Reddy, special counsel for the A.P.State Government, who have taken notice at the stage of admission. It is clear from the averments made in the application that the applicant who was registered only in the year 1990 is seeking to be sponsored by the employment exchange for selection to the post of light motor vehicle driver in the 1st Respondents organisation. He has not averred in his application that any of his juniors have been sponsored by the District Employment Exchange. The only ground put-forth by him whereby he seeks to assail the sponsoring of others is that those persons are not duly qualified. However this averment has not been substantiated by any material. This allegation can be considered and would arise only if the 1st Respondent selects un-qualified persons. The applicant ^{also} has averred that he has a right to be considered for the selection. The applicant states that he has registered himself in the year 1990. Hence if persons senior to him in the registration have been sponsored he cannot have any grievance. As already stated supra the applicant does not allege that his juniors were sponsored and so the only inference that we can draw is that persons senior to him were sponsored. It is well-established that the Employment Exchange maintains a list of the persons registered with

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contd.....3...

them according to their date and year of registration and restricts the number of persons to be sponsored having regard to the vacancies notified. Such a procedure cannot be held to be discriminatory or invalid and therefore the applicant cannot insist that he should have been sponsored. For these reasons the applicant has not made out any case for granting him the relief prayed. In these circumstances the application is dismissed. No order as to costs.

B.N. Jayasimha
(B.N. JAYASIMHA)
Vice-Chairman

D. Surya Rao
(D. SURYA RAO)
Member (J)

Dated: 13th February, 1991.
Dictated in Open Court

Deputy Registrar
(CS)

avl/

To

1. The Superintendent of Police,
Central Bureau of Investigation, Kachiguda, Hyderabad.
2. The District Employment Officer (Technical),
Musheerabad, Hyderabad.
3. One Copy to Mrs. Shahnaaz Sultana, Advocate,
H.No.3-2-763, Kachiguda, Hyderabad.
4. One Copy to Mr. Naram Bhaskara Rao, Addl. CGSC. A.T., Hyderabad.
5. One Copy to Mr. D. Panduranga Reddy, Spl. Counsel for State of A.P.
6. One Spare Copy.

VGB.

3rd

XEROY (3)
RVS
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APPROVED BY
COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

✓
THE HON'BLE MR.B.N.JAYASIMHA : V.C.

AND

✓
THE HON'BLE MR.D.SURYA RAO : M(J)

AND

~~THE HON'BLE MR.J.NARASIMHA MURTY:M(J)~~

~~AND~~

~~THE HON'BLE MR.R.BALASUBRAMANIAN:M(A)~~

Dated: 13-2-1991.

ORDER / JUDGMENT:

M.A./R.A./C.A. NO.

in

T.A.No.

W.P.No.

O.A.No. 138791

Admitted and Interim directions
issued.

Allowed

Disposed of with direction

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected.

No order as to costs.

